

**California State Department of Social Services
ICWA Workgroup**

Hosted by Intertribal Friendship House (IFH)
(a member of the Bay Area Collaborative of American Indian Resources)
523 International Boulevard
Oakland, CA 94606

November 9, 2010

Minutes

- **Welcome/Introductions.** The previous meeting's minutes were reviewed and approved as written.
- **Update on ICWA Unit Changes and Transition of ICWA Workgroup.** This agenda item was added at the beginning of the afternoon session at the request of the tribal caucus participants. Cheryl Treadwell, Chief, Resources Development and Training Support Bureau, CDSS, explained that the movement of the ICWA Unit was to merely place it back where it originally came from. Prior to the Office of Child Abuse Prevention's (OCAP's) acquisition of the ICWA project, it was housed within the Child Welfare Policy and Program Development (CWPPD) bureau under the direction of Teresa Contreras. The department allowed the ICWA project to stay with Teresa when she moved over to OCAP, since she already had the relationship established with the workgroup and the momentum for committing to making improvements on ICWA compliance. Since Teresa's retirement from CDSS last year, the responsibilities of the ICWA project fell under Lee Ann Kelly, the Assistant Bureau Chief for OCAP, however the ICWA Unit was moved back to CWPPD Bureau, under Joyce Dowell. With regard to our division structure, Joyce Dowell is the Chief of the CWPPD bureau and she reports to Linné Stout, Chief, Child Protection and Family Support (CPFS) branch. Linné reports to Greg Rose, Deputy Director, Children and Family Services Division (CFSD). Kevin Gaines is Assistant Deputy to Greg in the CFSD. There should not be any steps missed in terms of the progress that the workgroup has made, and nothing is changing with respect to the role and responsibilities that currently have been assigned to Ashley Franklin, Manager of the ICWA Unit.

It was requested that a CDSS organizational chart be provided to the workgroup.

- **Request for the Production of Historical Documentation (minutes, agendas, etc).** This agenda item was added at the beginning of the afternoon session at the request of the tribal caucus participants. The tribal advocates would like to re-prioritize/revitalize the earlier concerns that they had and determine whether or not they have been addressed, and where to go from here, based on review of the historical documents.

- **Recommendation to Invite Other State Representatives (CDSS and Non-CDSS).** This agenda item was added at the beginning of the afternoon session at the request of the tribal caucus participants. The participants would like to suggest that we invite other state representatives, in and outside of CDSS, to future workgroup meetings to share their topic-specific expertise which may have a tangential relationship or some overlap with ICWA (e.g., criminal record exemptions, ILP, adoptions, guardianships, ICPC, law enforcement, mental health, education).
- **Wisconsin Webinar.** This agenda item was added at the beginning of the afternoon session at the request of the tribal caucus participants.

Maureen Geary, Attorney, Maier, Pfeffer, Kim and Geary, presented her summary regarding the webinar: The Wisconsin Department of Children and Families (WDCF) and the Midwest Child Welfare Implementation Center (MCWIC) are collaborating with the 11 sovereign tribes in Wisconsin and Wisconsin's 71 county child welfare agencies to improve outcomes for Indian children. On October 19, 2010, a webinar was presented which discussed how this project is designed to achieve this systemic change. Key elements of the project include: 1) developing child welfare practice principles, training materials, and standardized case practice tools designed to effectively implement the recently enacted Wisconsin Indian Child Welfare Act (WICWA); and 2) enhancing communication and coordination between internal and external stakeholders responsible for the welfare of Indian children in Wisconsin. The webinar also included a brief overview of the history of the development of the project, including the formation and remarkable work of the state-tribal partnership that forged the WICWA, enacted in January 2010. When Wisconsin codified the federal ICWA, they were able to get the legislative, executive and judicial branches of the state government together to look at the ICWA and decide how they wanted it to look in their state. They created a "desk aid" that pops up on the social worker's computer from which the social worker can use anytime they have a question on the ICWA. Wisconsin's goal was to create uniformity across the state. The tribal participants of the workgroup would like to invite representatives from the WDFC, in some fashion, to address the group and share their information with us (e.g., the funding path, implementation process, advisory commission, etc.) so that we can see how we can mirror in the future what they have done. Although Wisconsin is smaller and has fewer tribes, they had an advisory commission and other pieces in place that California doesn't have. California seems to be missing the full-on implementation, across-the-board, state level of government connection that Wisconsin had at the beginning of their project. The desire of the workgroup is to identify what worked for Wisconsin and utilize as a model for California in the future.

It was also suggested that state ICWA managers participate on the CWLA State ICW Manager's Teleconference to hear what other states are doing. CDSS confirmed that the ICWA manager does participate in this group.

- **Administrative Office of the Courts Report.** Jennifer Walter, Attorney, Administrative Office of the Courts, presented a report. Please see handout of the memorandum distributed by the AOC, "Update on the AOC, CFCC, Tribal Projects Unit – ICWA Initiative," dated November 9, 2010.

- **Suicide Among Native American Youth on Reservations.** Kevin Sanders, Regional Social Worker, Pacific Region, Bureau of Indian Affairs, presented this report via teleconference. The Indian Health Service (IHS) and the Bureau of Indian Affairs (BIA) has been directed to address the youth suicide issue on reservations nationwide, and are preparing for a national comprehensive Suicide Awareness Conference to be held early in 2011. This conference will present an opportunity for the IHS, BIA and tribal leaders to develop strategies and best practices for Indian country to aid in suicide prevention and intervention. To prepare for the conference, a series of discussion/listening sessions will be conducted throughout the country to gather information on the needs, concerns, and current programs from tribes working on this critical issue. Input is critical in shaping the agenda and establishing goals for the conference.

Kevin will email the letter that was sent to tribal leaders and the schedule of listening sessions by region to Diana Orcino for forwarding to the workgroup. **(Done)**

The listening session for the Pacific Region will be held Tuesday, December 21, 2010 from 1:00 p.m. to 5:00 p.m. at the BIA/Federal Building, 2800 Cottage Way, Sacramento, CA 95825. Workgroup members were asked to provide Kevin with the names of people that can provide him with their comments and concerns, even if they cannot attend the session in person.

- **Legislative Update.** With regard to the recent passage of AB 12 and AB 2418, Mary Trimble Norris, Executive Director, American Indian Child Resource Center, asked the workgroup if they knew there would be participation on behalf of Indian interests in the different workgroups that are forming to talk about the implementation of these bills. There may be some opportunities for tribes or Indian agencies serving this band of youth for potential creative programming. How will this group be informed about opportunities to participate? Ashley Franklin and Karen Gunderson, Chief, Child and Youth Permanency Branch, CDSS, responded that they will pass along information as they receive it.
- **Subcommittee Updates.**
 - **AB 1325 Implementation.** Ashley Franklin, Manager of CDSS' ICWA Coordination Unit, presented a report. Ashley confirmed for the workgroup that Debbie Wender, Manager of CDSS' Concurrent Planning Policy Unit, Permanency Policy Bureau, is now the contact person for tribal customary adoption (TCA). Questions regarding TCA should be directed to her. The comprehensive All County Letter (ACL) has been completed (ACL #10-47, dated October 27, 2010).

When TCA comes up in cases, please contact the AOC and provide them with the court case numbers so they can collect the data that will be used for the report that is due to the legislature. A Special Projects Code (SPC) has been included on a tab in CWS/CMS. We need to get out the word of this SPC so that those cases are flagged. For any case where TCA is discussed as a possible option (whether or not it was chosen), it is important that those cases be flagged with the SPC so that we

can see throughout the life of the case what has happened. Cheryl Treadwell informed the group that our Data Analysis Bureau will do a quarterly test run of data to see what is in CWS/CMS.

- **ICWA Training Subcommittee.** Ashley Franklin presented a report. The standardized ICWA 101 curriculum is nearly ready for review. Ashley will type up the information gathered from the last State ICWA Conference and send out in a draft form for the workgroup to review.
- **California Partnership to Reduce Long-Term Foster Care Federal Grant.** Nicolle Larkins, Concurrent Planning Policy Unit, Permanency Policy Bureau, CDSS, presented a report and provided two handouts. Please see the CDSS News Release, dated October 1, 2010, and two-page summary of the project. The CDSS has been awarded a 5-year grant from the federal Administration for Children and Families (ACF) of up to \$14.5 million in discretionary monies that will allow CDSS to focus on improving outcomes for foster children in California; in particular African American and Native American youth have been identified as having significant barriers to finding permanent homes and experiencing longer stays in foster care. This grant will allow CDSS to work in partnership with tribes, the AOC, philanthropy, local agencies and others to examine and identify barriers and to provide solutions for these specific sub-groups. The pilot counties include Fresno, Humboldt, Los Angeles and Santa Clara, which have prior experience implementing innovative child welfare strategies and have a significant representation of the target population. Also, these counties account for nearly 40% of the statewide child welfare system in foster care throughout California.

Nicolle Larkins is the Project Manager for this grant, Karen Gunderson is the Project Director, and Ashley Franklin is on the project team as the Site Consultant for Fresno and Humboldt counties.

Nicolle expressed her concern that tribes should be included in the meetings, particularly on the steering committee, since Native American foster children are included in this target population. They are looking for county reps, former foster youth, current foster youth, parent partners, advocates, attorneys, etc. to form a solution-focused and value-added workgroup. Nicolle would like folks to contact her if they are interested in participating. A preliminary schedule is currently being worked on. The first meeting for the steering committee will probably be held in January, but she wants to be able to send participants information as she receives it.

Nicolle emphasized that there needs to be statewide-level infrastructure change, and yet it still needs to be locally relevant. There are many great initiatives and projects happening in different counties throughout the state, but they usually stay within their counties. When a child is moved from one county to another, the case plan follows the child. However, since the case plan was derived under the organizational structure of the originating county...which may have a completely different organizational structure and set of values and goals than the new county...the case plan unfortunately falls apart. The goal is that there be a project design which is a statewide case work practice model. It will not change the state-supervised county-administered system, but

there needs to be a statewide-level model that can still be locally relevant at the county level.

Tom Lidot, Tribal STAR Program Coordinator, Academy for Professional Excellence, San Diego State University, raised the concern that CDSS applied for this funding that includes the tribes without consulting with the workgroup. CDSS acknowledged that the tribes should have been involved sooner. Cheryl Treadwell mentioned that the grant was written in a way that was very high-level and extremely conceptual to the extent that it will still be shaped as it moves along, and there are still so many opportunities for the tribes to shape that conversation with their participation in the future (e.g., on the steering committee).

- **18th Annual Statewide ICWA Conference.** CDSS is looking for a tribe in the central region to host the next State ICWA Conference. A tribe was suggested during the morning tribal caucus, and that tribe will be contacted to see if they are available, and the co-chairs will provide that information to CDSS.
- **Other Issues/Announcements.**
 - It was requested as a reminder for CDSS to consult with the co-chairs on draft agendas in case additions are desired prior to sending the final agenda to the entire workgroup.
- **Next Workgroup Meeting.** The next workgroup meeting is scheduled for Tuesday, January 11, 2011 at CDSS Headquarters in Sacramento.
- **Action Items:**
 - ☒ CDSS to provide an organizational chart of the department to the workgroup.
 - ☐ CDSS to provide historical documents of prior ICWA Workgroup meetings to the workgroup, dating as far back as possible.
 - ☒ CDSS to invite other state representatives, in and outside of CDSS, to future workgroup meetings to share their topic-specific expertise related to ICWA.
 - ☐ Tribal reps/advocates to invite representatives from the Wisconsin Department of Children and Families to address the group and share information regarding the funding path, implementation process, advisory commission, etc., with regard to the WICWA.
 - ☒ Kevin Sanders to email to Diana Orcino the letter sent to tribal leaders regarding the regional listening sessions that will focus on addressing the youth suicide issue on reservations nationwide. Diana will forward to the workgroup. **(Done)**
 - ☐ Workgroup members were asked to provide Kevin with the names of people that can provide him with their comments and concerns regarding tribal youth suicide, even if they cannot attend the session in person.

- ☐ Ashley Franklin and Karen Gunderson will forward information to workgroup as they receive it regarding opportunities for tribes or Indian agencies to participate on behalf of Indian interests with regard to the different workgroups that are forming to discuss implementation of AB 12 and AB 2418.
- ☐ Nicolle asked that workgroup members contact her if they are interested in participating on the steering committee for the California Partnership to Reduce Long-Term Foster Care.
- ☒ Ashley to type up the information gathered from the last State ICWA Conference on the ICWA training curriculum and send out in a draft form for the workgroup to review.
- ☐ Tribal co-chairs will provide Diana Orcino with information regarding a host for the next State ICWA Conference to be held in the central region.